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Attorney for Defendant Dong Guk

**IN THE SUPERIOR COURT  
 FOR THE  
 COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

|                             |                           |
|-----------------------------|---------------------------|
| JUNG SOON LEE, (Deceased)   | ) CIVIL ACTION NO 05-0031 |
| By SUNG YOUNG LEE, Personal | )                         |
| Representative              | )                         |
| Plaintiff                   | )                         |
| v.                          | )                         |
| DONG GUK CORPORATION and    | )                         |
| DONGBU INSURANCE COMPANY,   | )                         |
| LTD                         | )                         |
| Defendants                  | )                         |
| DONG GUK CORPORATION        | )                         |
| Third Party Plaintiff       | )                         |
| v.                          | )                         |
| GYUN JIN KIM                | )                         |
| Third Party Defendant       | )                         |

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Defendant Dong Guk Corporation hereby answers the complaint as follows:

1. In response to ¶ 2, defendant lacks knowledge and information as to Sung Young Lee being appointed personal representative for Jung Soon Lee and therefore denies that allegation.

2. In response to ¶ 5 , defendant realleges and incorporates its answers to ¶¶ 1 - 4.
3. In response to ¶ 7, defendant admits that Jung Soon Lee and other persons were among the customers at their business establishment.
4. In response to ¶ 8, defendant lacks knowledge as to whether all of the persons with Jung Soon Lee at their business were college students. Defendants also lack knowledge as to why the persons who were students decided to attend the Northern Marianas College. On the basis of this lack of knowledge, defendants deny the allegations contained in ¶ 8.
5. In response to ¶ 9, defendant denies serving alcohol after 2:00 a.m.
6. In response to ¶ 11, defendant admits only that Jung Soon Lee is dead. Defendants deny all other allegations contained in ¶ 11.
7. In response to ¶ 14, defendants admit only that its ABC license required it to cease selling alcohol at 2:00 a.m. Defendant denies all other allegations contained in the ¶ 14.
8. Paragraph 15 is a statement of law and is not subject to response by defendant.  
However, to the extent, a response to the paragraph is appropriate, the statement is an inaccurate statement of the duty and defendants therefore deny ¶ 15.
9. Paragraph 16 is a statement of law and is not subject to response by defendant.  
However, to the extent, a response to the paragraph is appropriate, the statement is an inaccurate statement of the duty and defendants therefore deny ¶ 16.
10. Paragraph 17 is a statement of law and is not subject to response by defendant.  
However, to the extent, a response to the paragraph is appropriate, the statement is an inaccurate statement of the duty and defendants therefore deny ¶ 17
11. In response to ¶ 18, defendant lacks knowledge of the contents of the police report and

therefore deny the allegations contained in ¶ 18.

10. Paragraph 19 is a statement of law and is not subject to response by defendant. However, to the extent, a response to the paragraph is appropriate, the statement is an inaccurate statement of the law and defendant therefore denies ¶ 19.
11. In response to ¶ 21, defendant realleges and incorporates its answers to ¶¶ 1 - 20.
12. In response to ¶ 23, defendant admits that to the extent it is found liable to plaintiff, then defendant Dongbu is liable to the extent of the policy limits. Defendant denies all other allegations contained in ¶ 23.
13. Defendant admits ¶¶ 1, 3, 4 and 22.
14. Defendant denies ¶¶ 10, 13, and 20.

#### **AFFIRMATIVE DEFENSES**

1. The complaint fails to state a claim for relief
2. The intentional conduct of Jung Soon Lee is the proximate cause of her death.
3. Jung Soon Lee's own negligence is the proximate cause of her death.
4. Jung Soon Lee's own negligence contributed to her death.

#### **PRAYER FOR RELIEF**

Wherefore, defendant prays for relief as follows:

1. Plaintiff take nothing from the complaint;
2. For cost of suit including reasonable attorneys fees; and
3. Such other and further relief as the court deems appropriate.

### **THIRD PARTY COMPLAINT**

Comes now, Dong Guk Corporation and makes a third party complaint and alleges as follows:

1. The court has jurisdiction over this matter pursuant to 28 U.S. C. § 1332 and supplemental jurisdiction.
2. Thirty party plaintiff Dong Guk is a Commonwealth corporation.
3. Defendant Gyun Jin Kim is a citizen of Korea.
4. On or about August 2, 2004, Kim operated a vehicle on Beach Road Saipan in which Jung Soon Lee, deceased, was a passenger.
5. While operating the vehicle, Kim ran off the road and struck a tree.
6. Kim breached her duty of care to Lee and others by the manner in which she operated her vehicle on Beach Road on or about August 2, 2004.
7. Kim's careless and reckless operation of the motor vehicle on or about August 2, 2004 was the direct and proximate cause of the vehicle running off the road and striking a tree.
8. Kim's careless and reckless operation of the motor vehicle on or about August 2, 2004 was the direct and proximate cause of Lee's death.
9. Kim's careless and reckless operation of the motor vehicle on or about August 2, 2004 entitles Dong Guk to recover from Kim the sum equal to the percentage of Kim's negligence.

### **PRAYER FOR RELIEF**

Wherefore, Dong Guk prays for relief as follows:

1. If judgment is entered against Dong Guk, then Dong Guk shall recover against Kim a sum equal to the percentage of Kim's negligence.
2. Cost of suit including reasonable attorneys fees; and
3. Such other and further relief as the court deems just and proper.

Law Office of G. Anthony Long

By:/s/  
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G. Anthony Long